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*MOTORCAR CLASSICS, LLC*

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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 ALLISA ROOT,

11 Plaintiffs,

12 vs.

13 RUBBER DUCK, LLC, a foreign limited liability  
company, MOHAMED SAMADOV, MARKUS  
14 ROSGEN, MOTORCAR CLASSICS, LLC and  
DOES 1-V

15 Defendants.  
16

Case No: 3:20-cv-00701-MMD-WGC

**ANSWER**  
**(JURY DEMANDED)**

17 Defendant MOTORCAR CLASSICS, LLC, by and through their attorneys BARRON &  
18 PRUITT, LLP, answer the Plaintiffs' Complaint as follows:

19 1. Answering Paragraphs, I, II, III, IV, V, VII, IX, XI, XII, XIII, XIV, XV, and XVI of  
20 Plaintiff's Amended Complaint, Defendant lacks sufficient knowledge or belief to admit or deny, the  
21 allegations, and on that basis deny each and every allegation.

22 2. Answering Paragraph VI of Plaintiff's Complaint, Defendant admits that Defendant  
23 Motorcar Classics, LLC at all times relevant was a resident of the state of New York and is a business  
24 entity organized under the law of the state of New York and deny the remaining allegations.

25 3. Answering Paragraph VIII of Plaintiff's Amended Complaint, Defendant on its own  
26 behalf, denies the allegations.

27 4. Answering Paragraph X of the Plaintiff's Amended Complaint, Defendant repeats and  
28 re-alleges its responses to those paragraphs preceding it.

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**AFFIRMATIVE DEFENSES**

5. Plaintiff's Amended Complaint fails to state one or more claims upon which relief can be granted.

6. All damages complained of by the Plaintiff were the result of her own negligence, which negligence is greater than the negligence of these Defendants.

7. In the event the Plaintiff's comparative negligence does not exceed the combined negligence of all defendants, this answering Defendant is severally liable only, as provided by NRS 41.141.

8. The Plaintiff's damages, if any, are in fact unrelated to such events, and are the result of pre-existing conditions not caused by the accident and events alleged.

9. The Plaintiff's damages, if any, are the result of the fault, negligence or culpability of third parties over whom this answering Defendant had no control or right to control.

10. The Plaintiff's damages, if any, are the result of the fault, negligence, culpability or strict liability of third parties who placed unreasonably dangerous products into the stream of commerce, over whom this answering Defendant had no control or right to control.

12. The Plaintiff's damages, if any, are the result of the fault, negligence, or culpability of third parties who designed, constructed, or maintained improvements to real property, over whom this answering Defendant had no control or right to control.

13. The Plaintiff's damages, if any, are the result of the Plaintiff's assumption of risk.

14. The Defendant has not yet completed their investigation into all facts and circumstances set forth in the Plaintiff's Complaint and reserve their right to assert new or different defenses as events and facts may warrant.

WHEREFORE Defendant prays that Plaintiff take nothing and that the Defendant be awarded reasonable attorney's fees and costs.

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**JURY DEMAND**

Defendant demand s trial by jury as preserved by the U.S. and Nevada Constitutions, and  
FRCP 38.

BARRON & PRUITT, LLP  
/s/ Joseph R. Meservy  
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